

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF
ILLINOIS

KTM Ag,)	
)	
Plaintiff,)	
)	
v.)	Case No. 1:21-cv-1379
)	
The Partnerships, et al.,)	
Defendants.)	Hon. Elaine E. Bucklo

MOTION TO UNSEAL

COME NOW Defendants XSPANDER, WGL USA, and YL, Inc., (hereinafter “Moving Defendants”) by and through counsel, and respectfully move the Court for an Order unsealing certain documents filed under seal by Plaintiff, showing the Court as follows:

1. Plaintiff filed its Complaint on March 12, 2021. [ECF No. 1]
2. Summons were issued on May 3, 2021.
3. Moving Defendants’ responsive pleadings are due on Monday, May 24, 2021.
4. Moving Defendants respectfully request an extension of time to answer or otherwise plead through June 1, 2021. Plaintiff agreed. An Uncontested Motion for Extension of Time to Answer or Otherwise Plead has been filed. [ECF No. 30]
5. Plaintiff has filed numerous documents under seal in this matter. The sealed documents can be found at ECF Nos. 6, 10-13, and 18.
6. The sealed documents contain a list of the Defendants in the case (ECF No. 6), the evidence upon which Plaintiff is relying in bringing this action (ECF No. 10-13), and the temporary restraining order entered by this Court on March 24, 2021 (ECF No. 18).

7. Defendants have a right to review these documents and should be afforded the opportunity to do so promptly. Most documents filed in court are presumptively open to the public. *Bond v. Utreras*, 585 F.3d 1061, 1073 (7th Cir. 2009). Defendants have yet to receive copies of the evidence filed with the Court in support of Plaintiff's claims against them.
8. The unsealing of the requested documents will not burden Plaintiff and is necessary for Defendants to defend themselves in this matter. The unsealing of these documents is also in the public interest.
9. Defense counsel has requested access to the documents aforementioned documents by contacting counsel for Plaintiff both in writing and by telephone. Numerous requests have been made, and numerous promises of delivery of the evidence have been made. To date, no documents have been received.

WHEREFORE, Moving Defendants respectfully request that this Court grant their Motion to Unseal and direct the Clerk's Office to provide defense counsel with access to the documents filed at ECF Nos. 6, 10-13, and 18.

Respectfully submitted,

/s/ Erin K. Russell
The Russell Firm, LLC
833 W. Chicago Avenue, Suite 508
Chicago, IL 60642
T: 312-994-2424
F: 312-706-9766
erin@russellfirmip.com

CERTIFICATE OF
SERVICE

This is to certify that on May 24, 2021, this document was filed with the Court via the CM/ECF electronic filing system, thereby serving it upon all counsel of record.

/s/ Erin K. Russell